

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
8 JANUARY 2015**

Presiding Supervisor Marini called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 7:30 PM and led those present in the Pledge of Allegiance.

<u>PRESENT:</u>	Patricia Marini	Supervisor
	Larry Ruth	Councilman
	Vaughn Pembroke	Councilman
	Suzi Hawkins-Mance	Councilwoman
	Judy Markowski	Councilwoman
	Susie Jacobs	Town Clerk

<u>ABSENT:</u>	Michael Frederes	Highway Superintendent
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OTHERS PRESENT: Christi Waltermyer, Deputy Town Clerk; Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C., Engineer for the Town; Steven P. Metzger, Labella Associates, P.C., Engineer for the Town; Donald A. Young, Boylan Code LLP, Attorney for the Town; Phil Williamson, Code Enforcement Officer; Laurie Waltermyer, Justice Court Clerk; Matt Hankey, New Energy Equity, Chief Operating Officer; Town Newspaper Reporter, and 7 (seven) attendees.

REVIEW OF DOCUMENTS:
Supervisor Marini allotted time for a review of proposed Resolutions and Documents.

ORGANIZATIONAL MEETING:

RESOLUTION 01-15 - TOWN BOARD APPOINTMENTS:
Councilwoman Hawkins Mance offered the following Resolution 01-15 to appoint the following:
Seconded by Councilman Ruth to wit.

Zoning Board	Patrick Schmitt	Term expires 12/31/2016
Zoning Board	Lou Villanova	Term expires 12/31/2019
Zoning Board Counsel	Boylan Code	Term expires 12/31/2015
Planning Board	Eugene Bavis	Term expires 12/31/2019
Planning Board Counsel	Boylan Code	Term Expires 12/31/2015
Parks & Recreation Committee	Joe Leone	Term Expires 12/31/2019
Town Historian	Eugene Bavis	Term Expires 12/31/2015
Dog Control Officer	Lea Dill	Term expires 12/31/2015
Attorney for the Town	Boylan Code	Term expires 12/31/2015
Engineer for the Town	LaBella Associates	Term expires 12/31/2015
Budget Officer	Patricia Marini	Term expires 12/31/2015
Fire Marshall	Norman Druschel	Term expires 12/31/2015
Library Board of Trustees	TBD	Term expires 12/31/2019
Planning/Zoning Board Alternate #1	Marlene Hall	Term expires 12/31/2015
Planning/Zoning Board Alternate #2	Robert Plant	Term expires 12/31/2015
NYSAOT Delegate	Philip Williamson	Term expires 12/31/2015
Justice Court Clerk	Laurie Waltermyer	Term expires 12/31/2018

Attorney for Negotiations	Ferrera, Fiorenza, Larrison & Reitz, P.C.	Term expires 12/31/2015
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Adopted this 8th day of January 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

SUPERVISOR APPOINTMENT - DEPUTY SUPERVISOR:

Patricia Marini, Supervisor, has appointed Honorable Suzi Hawkins-Mance, Councilwoman as Deputy Supervisor, with a term expiring December 31, 2015.

SUPERVISOR APPOINTMENT – CLERK TO THE SUPERVISOR:

Patricia Marini, Supervisor, has appointed Mrs. Barbara Kuelling, as Clerk to the Supervisor, with a term expiring December 31, 2015.

HIGHWAY SUPERINTENDENT APPOINTMENT – DEPUTY HIGHWAY SUPERINTENDENT:

Mike Frederes, Highway Superintendent, has appointed Mr. Kevin Switzer, as Deputy Highway Superintendent, with a term expiring December 31, 2015.

TOWN CLERK APPOINTMENT – DEPUTY TOWN CLERK:

Susie C. Jacobs, Town Clerk, has appointed Ms. Christi Waltermyer, as Deputy Town Clerk, with a term expiring December 31, 2017.

LIAISON/COMMITTEE APPOINTMENTS:

<u>LARRY RUTH</u>	<u>JUDY MARKOWSKI</u>
Personnel (Chair)	Building
Drainage & MS4 (Chair)	Library
Sewer	Cemetery (Chair)
Negotiations	Highway
Ordinance Review	Ordinance Review
Town Clerk	Historical Society
Cemetery	
<u>VAUGHN PEMBROKE</u>	<u>PATTI MARINI</u>
Justice Court	Animals
Insurance	Receiver of Taxes
Sewer (Chair)	Personnel
Cable TV	Compliance
Safety	Assessment
Facilities	Code Enforcement
<u>SUZI HAWKINS-MANCE</u>	
Planning	
Zoning	
Highway (Chair)	
Recreation	
Negotiations	
Facilities	

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RESOLUTION 02 -15 - JUSTICE COURT:

Councilman Ruth offered the following Resolution 02-15 and moved its adoption.
Seconded by Councilman Pembroke to wit:

BE IT RESOLVED that the Justice Court will be held at the Walworth Town Offices as follows:

- 1st & 3rd Wednesday - Regular Court at 7:00 PM
- 1st Tuesday - A.D.A. Court at 6:00 PM
- 4th Monday - A.D.A. Court at 9:00 AM

Dated this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 03 -15 - LEGAL PAPER DESIGNATION:

Councilwoman Hawkins-Mance offered the following Resolution 03-15 and moved its adoption.
Seconded by Councilman Ruth to wit:

BE IT RESOLVED that the *Times of Wayne County shall remain* the legal newspaper for the Town of Walworth for 2015.

Adopted this 8th day of January 2015 at a meeting of the Town Board.

RESOLUTION 04-15 - TOWN BOARD MEETINGS:

Councilman Pembroke offered the following Resolution 04-15 and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

The following was submitted:

**2015 WALWORTH TOWN BOARD
MEETINGS**

JANUARY	FEBRUARY	MARCH	APRIL
MEETS: 8 th (Organizational meeting) MEETS: 22 nd	MEETS: 5 th MEETS:19 th	MEETS: 5 th MEETS: 19 th	MEETS: 2 nd MEETS: 16 th

MAY	JUNE	JULY	AUGUST
MEETS: 7 th	MEETS: 4 th	MEETS:16th	MEETS: 20 th
MEETS: 21 st	MEETS:18 th		
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
MEETS: 3 rd	MEETS: 1 st	MEETS: 5 th	MEETS: 3 rd
MEETS: 17 th	MEETS:15 th	MEETS: 19 th	MEETS: 17 th

BE IT RESOLVED that the Town Board meetings will be held the **first** and **third Thursday** of **each month** at the Walworth Town Offices, 3600 Lorraine Drive, Walworth, at **7:30 PM** with the exception of the first Thursday in the month of July and August.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 05-15 – EXPENDITURES:

Councilman Ruth offered the following Resolution 05-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED that the following expenditures by Department heads be authorized without Town Board approval.

Supervisor	\$2,000.00	Highway Superintendent	\$4,000.00
Town Clerk	\$2,000.00	Sewer Superintendent	\$4,000.00
Recreation	\$2,500.00		

Dated this 8th day of January 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 06-15 – OFFICIAL DEPOSITORIES:

Councilman Ruth offered the following Resolution 06-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

Supervisor	JP Morgan Chase, Key Bank
Judge Young	Citizens Bank
Judge Majchrzak	Lyons National Bank
Town Clerk	JP Morgan Chase
Receiver of Taxes	JP Morgan Chase
Sewer Superintendent	JP Morgan Chase
Parks & Recreation Director	JP Morgan Chase

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

**RESOLUTION 07-15 - AUTHORIZING TOWN CODE ARTICLE II BRUSH ,
GRASS AND WEEDS PER SECTION 128-3 AND ARTICLE III ABANDONED
EQUIPMENT AND RUBBISH PER SECTION 128-9:**

The following was submitted:

BE IT FURTHER RESOLVED, the Code Enforcement Officer be authorized to serve notice, when required, on any property owner, executor, administrator, agent, or any person having a vested or contingent interest in such property in violation of Article II Brush, Grass and Weeds, per § 128-3 and Article III Abandoned Equipment and Rubbish per § 128-9. However prior authorization of mowing and/or removal of abandoned equipment and rubbish (which must be paid for by the Town until collected with tax payment by the property owner, executor, administrator, agent, or any person having a vested or contingent interest in such property or purchaser in case of sale) by the Code Enforcement Officer with approval by the Town Supervisor or Deputy Supervisor in the absence of the Supervisor would be required.

BE IT FURTHER RESOLVED, Adoption of Resolution 07-15 supersedes any and all other Resolution.

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Adopted this 8th day of January 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 08-15 - CHECK-SIGNING AUTHORIZATION:

Councilman Ruth offered the following Resolution 08-15 and moved its adoption.
Seconded by Councilwoman Markowski to wit:

BE IT RESOLVED, that Patricia Marini, Supervisor, and Suzi Hawkins-Mance, Deputy Supervisor, are authorized to sign checks for monies deposited in the Official depositories Banks.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 09-15 OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS:

Councilwoman Hawkins-Mance offered the following Resolution 09-15 and moved its adoption. Seconded by Councilman Pembroke to wit:

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we the Town Board of the Town of Walworth hereby require the Supervisor, Town Clerk, Receiver of Taxes, Town Justice(s), and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “Town of Walworth Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

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RESOLUTION 10-15 CAREY LAKE, LLC FIREWORKS:

Councilman Ruth offered the following Resolution 10-15 and moved its adoption.
Seconded by Councilman Pembroke to wit:

WHEREAS, that the Town of Walworth recognizes the need to encourage and foster existing businesses within the Town. As such, the Town recognizes that Carey Lake, LLC, operates a party and banquet facility located within the Town; and

WHEREAS, the property on which the business is located has very unique characteristics not found on other properties within the Town; and

WHEREAS, the property is 210 acres of mostly undeveloped land with a large body of water; and

WHEREAS, the property is located in a relatively low developed portion of the Town on Route 441 and is readily accessible and open to the public at large; and

WHEREAS, Carey Lake, LLC has contracted with Young Explosives Corporation for fireworks displays for the past 11 years. The displays are requested/contracted for activities such as wedding parties being held at the banquet house but have been available for general public enjoyment by anyone in the public wishing to view; and

WHEREAS, Carey lake, LLC has applied for a Fire Works Permit for a period not to exceed ONE YEAR, commencing the 1st day of January, 2015 and terminating on the 31st day of December, 2015, and

WHEREAS, the unique nature of the property affords public safety not readily available at other properties within the Town during the displays, and

WHEREAS, the Town requires notification to the Town Clerk of any potential Fireworks Displays; and that no Fireworks Displays should occur until notification has been completed;

NOW, THEREFORE, BE IT RESOLVED, that both parties have made it known to the Town Board that they wish to continue the contractual relationship;

BE IT RESOLVED, that given the unique property characteristics, its location available for general public enjoyment, the willingness of Carey Lake, LLC to publicly post notice in its restaurant and Town Hall regarding dates and times of displays, and provide copies of appropriate insurances to the Town Clerk, it is resolved that the Town of Walworth acknowledges the existence of and generally approves of such contractual relationship between these two parties in the year 2015.

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

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ANNUAL REVIEW OF TOWN POLICY – LOCAL LAW CHAPTER 18 ETHICS:
Discussion ensued. This Local Law is pending Amendment, Public Hearing & Adoption; on the Agenda for January 22, 2015.

RESOLUTION 11-15 APPROVAL TOWN POLICY DEPOSIT AND INVESTMENTS:

Councilwoman Hawkins-Mance offered the following Resolution 11-15 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board has reviewed the current policy adopted 8/19/2010, and finds no changes need to be made.
Policy on file in the Town Clerk’s Office.

NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “Town Policy – Deposit and Investments, adopted 8/19/2010”.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 12-15 ANNUAL REVIEW AND APPROVAL TOWN LAW CHAPTER 35 PROCUREMENT:

Councilman Pembroke offered the following Resolution 12-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board have reviewed the current Law Chapter 35 and finds no changes need to be made.
Document on file in the Town Clerk’s Office.

NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “Local Law Chapter 35 Procurement Policy”.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 13-15 ANNUAL REVIEW AND APPROVAL TOWN POLICY WORK PLACE VIOLENCE PREVENTION:

Councilman Pembroke offered the following Resolution 13-15 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board have reviewed the Work Place Violence and finds no changes need to be made.
Document on file in the Town Clerk’s Office.

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NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “Town Policy, Workplace Violence Prevention adopted 8/2014”.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 14-15 ANNUAL REVIEW AND APPROVAL OF THE SEXUAL HARASSMENT PREVENTION IN THE TOWN EMPLOYEE HANDBOOK:

Councilman Ruth offered the following Resolution 14-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:

WHEREAS, the Town Board has reviewed the Sexual Harassment Prevention in the Town Employee Handbook and finds no changes need to be made. Document on file in the Town Clerk’s Office.

NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “Town Employee Handbook - Sexual Harassment Prevention, adopted 9/23/2014”.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 15-15 ADOPTION OF THE 2015 TOWN OF WALWORTH FEE SCHEDULE:

Councilman Ruth offered the following Resolution 15-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:

WHEREAS, the Town of Walworth has established a Local Law Article III – to Chapter 1 of the Walworth Town Code – Establish and Modify Town Fees by Resolution, Adopted 5th of March, 2009; and

WHEREAS, the Town Board of the Town of Walworth has reviewed Department Head recommendations and wishes to adopt the Proposed 2015 Town Fee Schedule.

The proposed* Fee Schedule on File in the Town Clerk’s Office:

The Adopted Fee Schedule below or on the Town website:

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TOWN OF WALWORTH FEE SCHEDULE – 2015:

ASSESSING: Nothing at this time

TOWN CEMETERY FEES:

BURIAL COST	Excavating - Full Size Box with Vault	\$600.00
	Excavating - Cremations	\$200.00
	Excavating	
	- Babies	\$250.00
SALE OF LOTS	Per Grave	
	Site	\$500.00
	Half Lot (4 grave sites)	\$2,000.00
	Full Lot (8 grave sites)	\$4,000.00
FOUNDATIONS	Single Stone or Marker (12 X 24)	\$200.00
	Double Stone or Marker (14 x 36)	\$400.00
	Special Size (Exceeds double size)	.75 cu. ft.
DIS-INTERMENTS		
	Full Size &	
	Children	\$800.00
	Cremations	\$200.00

HOME OCCUPATION:

Major - \$100.00

If the review fee exceeds the \$100.00 charge, the applicant will be invoiced for the amount exceeding the fee paid at the time application to be heard.

Minor - \$25.00

HIGHWAY DEPARTMENT:

Nothing at this time.

RECEIVER OF TAXES:

Nothing at this time.

TOWN RETURN CHECK FEE:

\$20.00

PARKS & RECREATION FEES*:

Lodge – resident fee -

\$150.00

Lodge – non-resident fee

\$ 200.00

Open air pavilion – resident fee

\$ 35.00

Open air pavilion – non-resident

\$ 60.00

*Can be superseded by an adopted Town Board Resolution

SKATING RINK RENTAL FEES (Renting the rink for private use only):

\$35.00 – resident fee

\$60.00 – non-resident

Continued on the next page

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SEWER:

Application/connection

\$800.00

Inspection fee

\$50.00

Sewer rates – as set by Local Law

TOWN CLERK FEES:

Marriage

\$40.00

Certified Copies B D & M

\$10.00

Genealogy requests

\$22.00

Zoning maps

11x14 – \$2.50

24x36 - \$20.00

Foil – Fees prescribed by law

DOGS:

Spayed / neutered local fee

\$9.00 + applicable State fee \$1.00 (\$10.00)

un-spayed / un-neutered

\$16.00 + applicable state fee \$3.00 (\$19.00)

Service dogs – spayed / neutered

Exempt + applicable State fee \$1.00

Service dogs – un-spayed / un-neutered

Exempt + applicable State fee \$3.00

Purebred Licenses -

1-10 dogs - \$30.00 + applicable State fees

11-25 dogs - \$55.00 + applicable State fees

26 & up - \$105.00 + applicable State fees

Replacement tag -

\$3.00

Late fee after 60 days -

\$5.00 / per dog

Enumeration fee -

To be established by Town Board Resolution

Impound fees -

1st pick-up fee - \$25.00 + applicable license fees + \$20.00 per day

2nd pick-up fee - \$50.00 + applicable license fees + \$40.00 per day

3rd pick-up fee - \$75.00 + applicable license fees + \$50.00 per day

PUBLIC ASSEMBLY PERMIT: \$125.00 per application per calendar year. Town Law §131-4

AUTOMOBILE SALVAGE YARD LICENSE: \$125.00 per application per calendar year. Town Law §99-7

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PEDDLER'S AND SOLICITOR'S LICENSE: Town Law §121-12

Six (6) months or less \$100.00

Six (6) months to one (1) year \$200.00

PEDDLER'S AND SOLICITOR'S ASSISTANT'S LICENSE: Town Law §121-12

Six (6) months or less \$50.00

Six (6) months to one (1) year \$100.00

BUILDING PERMIT FEES:

Building permit shall be issued only after payment of the applicable fee or fees set forth from time to time by the Town Board Resolution and on file in the office of the Town Clerk, except when waived by the Town Board.

1. Dwellings on one-lot developments: \$175 per unit, plus an additional \$0.10 per square foot over 2,500 square feet, plus \$75 septic inspection. See Escrow Fees.
2. Multifamily dwellings: \$400, plus \$50 per unit in excess of three units.
3. Farm buildings, if permit required: \$1 per 100 square ft. with a minimum charge of \$50 dollars.
4. Commercial and industrial buildings and additions thereto: \$250 per application or \$0.10 cents per square foot (whichever is greater). See Escrow Fees.
5. Additions to existing residential buildings: \$100 per application.
6. Renovations, alterations, reconstruction, change of use and additions to nonresidential (Commercial) buildings: \$250 per application or \$0.10 cents per square foot (whichever is greater).
7. Installation and/or replacement of accessory buildings, except for pole barns, barns and garages (see #21 of this schedule): \$50 each building.
8. Installation and/or replacement of a telecommunications tower, the replacement and/or addition of an accessory building on the same site as the telecommunications tower whether the owner of the telecommunications tower or a co-located user (shared use): \$1000.
9. Installation of any additional antenna on an existing telecommunications tower whether the owner of the telecommunications tower or a co-located user (shared use): \$750.
10. Wood stove installation and/or replacement and simultaneous chimney inspection: \$50 each and an additional charge of \$40 for each re-inspection.
11. Chimney / wood stove / property maintenance inspection: \$40 each.
12. Septic system inspection for new repair or replacement: \$75 each and an additional charge of \$30 for each inspection in excess of two inspections pursuant to the same permit application.
13. Park and recreation fee: \$650 per dwelling unit.
14. In the event construction is commenced and/or completed before a building permit is issued payment of all fees as set forth in various subsections within §180-58E, the applicant shall pay the appropriate building fees, plus an additional \$100.00 administrative fee.
15. Installation or replacement of swimming pools in residential zoning districts: \$60 each and an additional charge of \$30 for each additional inspection. See Escrow Fees.
16. Installation and/or replacement of decks, breezeways, roofs, and carports: \$60 each.
17. Demolition of a building: \$75 each.
18. Installation and/or replacement of a residential tower antenna or windmill or any green power application: \$75 each.
19. Placement and/or replacement of a mobile home in a licensed mobile home park; \$125 per unit. See Escrow Fees.

20. Renewal of a prior issued building permit: 100% of the current (original + postage) permit fee or a minimum charge of \$50 dollars plus postage.
21. Installation and/or replacement of a pole barn / barn buildings / garage: \$1 per 100 square feet with a minimum of \$75.
22. In instances where there is no site plan or subdivision of property and no other application fee provided Research Fee: a minimum fee of \$35 and an additional \$50 for each field inspection.
23. Fireplace installation: \$50.
24. Installation and/or replacement of a hot tub: \$60, plus \$100 to be paid in escrow to guarantee final inspection after completion of the work, which said monies will be refunded upon final inspection.
25. Modification of home and finishing basement: \$75, plus \$100 to be paid in escrow to guarantee final inspection after the completion of the work, which said monies will be refunded upon final inspection.
26. Installation and/or replacement of an enclosed porch or sunroom: \$60.
27. Installation and/or repair of standby residential generators: \$50, plus \$100 to be paid in escrow to guarantee final inspection after the completion of the work, which said monies will be refunded upon final inspection.
28. Installation and/or repair of standby commercial/industrial generators: \$150, plus \$250 to be paid in escrow to guarantee final inspection after the completion of the work, which said monies will be refunded upon final inspection.
29. Installation and/or repair of an electrical transfer switches: \$50, plus \$100 to be paid in escrow to guarantee final inspection after the completion of the work, which said monies will be refunded upon final inspection.
30. Manufactured home on private lot: \$150, plus an additional \$0.10 per square foot over 2500 square feet, plus \$175 septic inspection fee. See Escrow Fees.
31. Adding emergency egress window and window well: \$50.
32. Tear off/ reroof: \$50.
33. Replacement windows: \$50.
34. Electrical work (requiring an outside entity): \$40, plus \$100 to be paid in escrow to guarantee final inspection after the completion of the work, which said monies will be refunded upon final inspection.
35. Replacement water heaters: \$40.
36. Replacement furnaces: \$40.
37. Air-conditioning units: \$40
38. 911 Reflective House, Numbers \$25 dollars.
39. Excavation and/or Top Soil Removal: \$0.06 per square cubic yard when permit is required.

ESCROW FEES:

The following cash escrows will be submitted to the Town Clerk with an application for the following building permits:

1. In addition to the building permit fee to build a new home and/or Manufactured home on a residential lot: the additional sum of \$500 shall be collected. The applicant must complete all construction, the proper final cleanup, grading, ground cover, driveway work in the right-of-way or other special right-of-way work or other work to be as required by the permit. The escrow funds shall be retained until all work has been completed to the satisfaction of the Building Inspector and Highway Superintendent.
2. In addition to the building permit fee to build on a commercial/industrial lot: an additional escrow fee equivalent to ½ of the building permits, but not less than \$1,500 shall be collected. The applicant must complete all construction (including new buildings, alterations or additions), the proper cleanup, grading, groundcover, driveway work in the right-of-way or other special right-of-way work or other work as required by the permit. The escrow funds shall be retained

until all work has been completed to the satisfaction of the Building Inspector and Highway Superintendent.

3. In addition to the building permit fee to build an above ground swimming pool in residential zoning districts; an additional escrow fee of \$100. The escrow funds shall be retained until receipt by the town of the electrical inspection certificate and the Building Inspector has issued a Certificate of Occupancy or Certificate of Compliance. For an in-ground pool an additional escrow fee of \$250 dollars shall be collected. The escrow funds shall be retained until receipt by the town of the electrical inspection certificate and the Building Inspector has issued a Certificate of Occupancy or Certificate of Compliance.
4. In addition to the building permit fee for the replacement of a Manufactured Home in a licensed manufactured home park; an additional escrow fee of \$650 shall be collected. The escrow funds shall be retained until the Building Inspector has issued a Certificate of Occupancy or Certificate of Compliance.

REVIEW FEES:

For each application pertaining to which subdivision and/or site plan approval is requested in residential development for:

- 1 or 2 lots or parcels - \$450
- 3 lots or parcels - \$675
- 4 lots or parcels - \$1,200
- 5 lots or parcels - \$1,500
- 6 lots or parcels - \$1,800
- 7 lots or parcels - \$2,100
- 8 lots or parcels - \$2,400
- 9 lots or parcels - \$2,700
- 10 lots or parcels and above @ \$350 each lot or parcel

A) \$500 Special Use Permit application fee and in addition see §151.44 Review Fees, reimbursement of consultation fees and §151.45 Inspection fees.

B) \$225 for each lot or parcel resulting from the subdivision of residential or non-residential land without the approval to construct a structure.

C) \$100 per 100 square feet of building area applied for in any non-residential development and in addition see §151.44 Review fees.

D) an administration fee of \$100.

If as part of an application for preliminary subdivision approval or site plan approval, a percolation test is required, the applicant shall pay to the Town with the applicant's application a percolation test fee in accordance with the following schedule:

- a) In the case where the percolation test and/or deep-hole test is to be witnessed by a consulting Engineer engage by the Town, the fee shall be as billed.
- b) In the case where the percolation test and/or deep-hole test is to be witnessed by a Town Official, the fee shall be \$100 per residential lot or \$100 each test location for non-residential parcel.

ZONING BOARD OF APPEALS:

A written application, together with the fee for an appeal of \$50 for residential and \$100 for a business application for a variance.

BE IT RESOLVE, the 2015 Town Fee Schedule be adopted and become effective on January 9, 2015.

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
8 JANUARY 2015

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 16-15 ADOPTION OF THE 2015 SALARY MATRIX:

Councilman Ruth offered the following Resolution 16-15 and moved its adoption.
Seconded by Councilwoman Markowski to wit:

WHEREAS, the Town Board has reviewed the 2015 Salary Matrix.

The following was submitted and is on file in the Town Clerk's Office:

2015 Salary Matrix				
<u>Pay Grade</u>	<u>Title</u>	<u>Entry Level</u>	<u>Median Level</u>	<u>Maximum Level</u>
1	WASTE WATER OPERATOR	\$25.25	\$27.33	\$30.18
2	TOWN COMPTROLLER	\$24.86	\$26.91	\$29.71
3	RECREATION DIRECTOR	\$23.56	\$25.50	\$28.16
4	ASSESSOR	\$22.21	\$24.04	\$26.54
5	BUILDING INSPECTOR	\$22.11	\$23.93	\$26.42
6	WASTE WATER LAB TECHNICIAN WASTE WATER TECHNICIAN	\$19.72	\$21.35	\$23.57
7	SENIOR ACCOUNT CLERK	\$18.37	\$19.88	\$21.95
8	ASSISTANT OPERATORS	\$17.06	\$18.47	\$20.39
9	ASSISTANT RECREATION DIRECTOR	\$16.74	\$18.12	\$20.01
10	SEWER CLERK	\$16.02	\$17.34	\$19.15
11	CLERK TO SUPERVISOR	\$15.81	\$17.11	\$18.89
12	CODE ENFORCEMENT	\$15.59	\$16.88	\$18.63
13	BUILDING/ZONING CLERK	\$15.30	\$16.56	\$18.28
14	COURT CLERK	\$15.00	\$16.24	\$17.93
15	GROUNDS KEEPER	\$14.16	\$15.33	\$16.92
16	LABORER PARKS/MAINT TOWN HALL SEASONAL LABOR	\$12.28	\$13.29	\$14.68
17	CLERK TOWN HIGHWAY DEPT DEPUTY TOWN CLERK MS 4 CLERK RECREATION CLERK	\$12.15	\$13.15	\$14.52
18	ASSESSMENT CLERK CLERK TOWN CLERKS OFFICE	\$11.67	\$12.63	\$13.95

January 2015

NOW, THEREFORE BE IT RESOVED that we, the Town Board of the Town of Walworth approve the document entitled “2015 Salary Matrix”.

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
8 JANUARY 2015**

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

REGULAR MEETING:

MINUTES:

Motion by Councilman Ruth that the Minutes of December 18, 2014 Regular Meeting be approved as submitted by the Town Clerk.
Seconded by Councilwoman Markowski.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

PUBLIC PARTICIPATION:

Mr. John McMenamia, Palmyra resident, addressed the Board to share and submit an article from the WSJ regarding HUD land use and zoning regulations, and expressed his interpretation of the laws, as well as his concerns.

“Washington’s ‘Fair Housing’ Assault on Local Zoning, our experience in Westchester shows what the country can expect from a new federal discrimination rule.
By: Robert P. Astorino wsj.com/news/article/SB
Dated: September 5, 2013

“Do you think it is a good idea to five the Department of Housing and Urban Development unchecked power to put an apartment building in your neighborhood?
HUD has proposed a new rule that could do just that.

In July, HUD published its long-awaited proposal on “Affirmatively Furthering Fair Housing” in the Federal Register. It is a sweeping set of land-use regulations that has attracted little national attention. The agency wants the power to dismantle local zoning so communities have what is considers the right mix of economic, racial and ethnic diversity. A finding of discriminatory behavior, or allegations of discrimination, would no longer be necessary. HUD will supply “nationally uniform date” of what it thinks 1,200 communities should look like...”

Council members thanked McMenamia.

COMMITTEE REPORTS:

Council members reported on their respective committees with the following Town Board actions:

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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RESOLUTION 18-15 AUTHORIZE THE TOWN CLERK TO ISSUE A 2015 PUBLIC ASSEMBLY PERMIT TO THE DOLOMITE GROUPS AKA GREYSTONE:

Councilman Ruth offered the following Resolution 18-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:

WHEREAS, an application has been made to the town board of the Town of Walworth for a 2015 Public Assembly Permit - Seasonal to The Dolomite Group aka Greystone Golf Club, 1400 Atlantic Avenue, Walworth, NY 14568; pursuant to the Town of Walworth Municipal Code, Chapter 131 Public Assembly.

WHEREAS, the Building Inspector has completed the Inspection on April 2014; with no violations were sited. Another Inspection will be done in April, 2015.

BE IT RESOLVED, that the Town Clerk issue the Permit and collect the fees.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 19-15 AUTHORIZE THE SUPERVISOR TO SIGN ANNUAL CONTRACT FOR SOFTWARE SUPPORT – TOWN CLERL PLUS WITH WILLIAMSON LAW BOOK:

Councilman Ruth offered the following Resolution 19-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:
Document submitted and on file in the Town Clerk’s Office.

BE IT RESOLVED, that the Supervisor is authorized to sign annual contract with Williamson Law Book for Town Clerk Plus software support.

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 20-15 AUTHORIZING THE TRANSFER FROM GENERAL FUND TO DOG ENUMERATION RESERVE FUND A231DE:

Councilman Ruth offered the following Resolution 20-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board of the Town of Walworth established Control of Animals – Dog Enumeration Reserve Fund in 2013; and

WHEREAS, the funds from Dog Licensing Revenues which were credited to General Fund Balance for 2014 as of 12/13/2014 are \$13,893.00, and

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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WHEREAS, the 2014 expenses for Control of Animals is \$12,203.57,

RESOLVED, that the amount of one thousand six hundred dollars and 00 cents (\$1,600.00) is transferred to Dog Enumeration Reserve Fund A231DE.

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

**RESOLUTION 21-15 AUTHORIZING TOWN SUPERVISOR SIGNS THE
QUOTE NUMBER 3161 WITH INTEGRATED SYSTEMS FOR THE PURCHASE
OF A LAPTOP FOR THE TOWN CLERK:**

Councilman Ruth offered the following Resolution 21-15 and moved its adoption.
Seconded by Councilman Pembroke to wit:

BE IT RESOLVED, the Town Supervisor is authorized to sign Quote Number 3161 with Integrated Systems for the purchase of a Laptop for the Town Clerk, Budgeted item from A1620.21for \$799.00.

Adopted this 8th day of January 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

**RESOLUTION 22-15 AUTHORIZING TOWN SUPERVISOR SIGNS THE
QUOTE NUMBER 2891 WITH INTEGRATED SYSTEMS FOR THE PURCHASE
OF A LAPTOP FOR THE ASSESSOR:**

Councilman Ruth offered the following Resolution 21-15 and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED, the Town Supervisor is authorized to sign Quote Number 2891 with Integrated Systems for the purchase of a Laptop for the Assessor, Budgeted item from A1620.21for \$1,018.00.

Adopted this 8th day of January 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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RESOLUTION 23-15 APPOINTING MR. MIKE BUCKLEY TO THE POSITION OF GROUNDSKEEPER, SALARY WILL BE CONSISTENT WITH THE 2015 SALARY MATRIX – ENTRY LEVEL:

Councilwoman Hawkins-Mance offered the following Resolution 23-15 and moved its adoption.
Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that Mr. Mike Buckley is appointed to the position of Groundskeeper; salary will be consistent with the 2015 salary Matrix – Entry Level.

Adopted this 8th day of January 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 24-15 AUTHORIZING THE EXPENSE TO HENDERSON FORD FOR THE PURCHASE (QUOTE 1259) FOR A 2014 FORD F250 TRUCK, PURCHASED ON STATE BID, BUDGETED ITEM:

Councilwoman Hawkins-Mance offered the following Resolution 24-15 and moved its adoption.
Seconded by Councilwoman Markowski to wit:

BE IT RESOLVED, that the expense to Henderson Ford for the purchase for a Ford Truck F250 (Quote 1259) purchased on State Bid, Budgeted item from A7110.21R - \$26.043.67. Procurement Form submitted.

Adopted this 8th day of January 2015 at the meeting of the Town Board

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 25-15 TO ESTABLISH JUSTICE COURT CAPITAL RESERVE FUND A231JC, SUBJECT TO PERMISSIVE REFERENDUM:

Councilman Pembroke offered the following Resolution 25-15 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board of the Town of Walworth desires to establish Justice Court Capital Reserve Fund; and

WHEREAS, the purpose for the fund is for improvements to the Justice Court department /building; and

WHEREAS, the funds to establish this Fund are from the balance of the 2014 budget; amount to be determined at a later date.

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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RESOLVED, that pursuant to Section 6-c (or 6-g) of the General Municipal Law, as amended, the Walworth Town Board does hereby established the Justice Court Capital Reserve Fund to finance the cost of improvements of the Justice Court department /building.

The Chief Fiscal Officer is hereby directed to deposit moneys to this Reserve to be known as the “Justice Court Capital Reserve Fund” fund number A231JC.

The amount to establish this fund will be determined by the Town Comptroller at a later date: the amount will be the remaining funds in the 2014 Budget.

The Chief Fiscal Officer is authorized to invest, from time to time, the moneys of this fund pursuant to Section 11 of the General Municipal Law.

No expenditure shall be made from this fund, except upon authorization of this board pursuant to Section 6-c (or 6-g) of the General Municipal Law.

THEREFORE, BE IT RESOLVED, that the Justice Court Capital Reserve Fund of is subject to a 45 day Permissive Referendum,

THEREFORE, BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth adopt Resolution 25-15.

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

COUNCILMAN REQUESTED HIS STATEMENT GO ON THE “RECORD”:

Councilman Pembroke stated that he would like to go on the record stating: “Racial undertones to the Town Board regarding any topic, is not what the Town Board is about...”

OTHER BUSINESS:

RESOLUTION 26-15 – FINANCIAL TRANSFERS:

Councilman Ruth offered the following Resolution 26-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED, that the Town Comptroller be authorized to modify budget as follows:

The following was submitted:

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BE IT RESOLVED that the Town Comptroller be authorized to modify budget as follows for Abstract #13:

\$2.88 from General Fund Balance to A3510.43 Dog Licenses.

\$402.59 from A5132.41 Highway Garage Gas & Electric to A5010.45 Walworth IDA.

\$347.62 from A5132.46 Highway Safety Training to A5132.42 Highway Uniforms.

\$354.84 from A7110.42 Park Maintenance to A7110.41 Park Electric.

\$553.68 from A7310.41 Recreation Supplies to A7310.42 Recreation Programs.

\$125.16 from Walworth Consolidated Drainage Fund Balance to SD1-8540.41 Drainage Maintenance.

\$274.29 from CM1-7110.42 Parks Lodge Cleaning to CM1-7110.41 Parks Lodge Utilities.

\$1,300.46 from DA5142.43 Fuel Useage Snow Removal to DA 5110.44 Fuel Useage General.

To cover final expenditures for 2014.

Adopted this 8th day of January 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 27-15 – ABSTRACT #13:

Councilman Ruth offered the following Resolution 27-15 and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:
The following was submitted:

To: Walworth Town Board

From: Jean Johnson, Town Comptroller

Date: 8-Jan-15

Re: Abstract #13 Last Abstract Paid Out Of 2014 Budget

Attached please find a copy of the Abstracts by Fund. I have audited
all claims and will be transferring funds to cover payments by Fund as follows:

Voucher Numbers #2038-2135

General Fund	\$36,067.07
Highway Fund	\$49,023.35
Sewer Fund	\$22,041.61
Park Special Revenue Fund	\$859.27
Walworth Light District	\$507.05

Harvest Hill Light District	\$479.42
Gananda Light District	\$1,040.58
Brookside Light District	\$12.19
Orchard View Light District	\$132.97
Parkview Green Park District	\$0.00
Consolidated Drainage	\$1,050.00
Gananda Sidewalk	\$0.00
Water Extension #17	\$0.00

Total Payments	\$111,213.51
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Voucher Numbers #223-236

Trust & Payroll	\$28,991.20
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Checks will be issued on January 8, 2015

Checks Reviewed Prior To Mailing 1/9/15 _____

Adopted this 8th day of January 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 28-15 AUTHORIZING THE SUPERVISOR TO SIGN A CONTRACT WITH CATHERINE A. TINGUE dba ADVANCED OCCUPATIONAL SERVICES FOR EMPLOYEES DRUG & ALCOHOL TESTING:

Councilwoman Hawkins-Mance offered the following Resolution 28-15 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town of Walworth performs drug and alcohol testing for employees.

BE IT RESOLVED, that the Town Supervisor of the Town of Walworth, is hereby authorized and directed to sign the contract with the Catherine A. Tingue dba

Advanced Occupational Services for drug and alcohol testing for Town employees for the year 2015.

Adopted this 8th day of January, 2015, at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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**RESOLUTION 29-15 EXPRESSING INTENT FOR THE TOWN OF
WALWORTH TO JOIN WITH WAYNE COUNTY IN PREPARING AND
SUBMITTING GOVERNMENT EFFICIENCY PLAN:**

Councilwoman Hawkins-Mance offered resolution 29-15 and moved its adoption.

Seconded by Councilman Ruth to wit:

The following was submitted:

Whereas, Governor Cuomo and the New York State Legislature have enacted a Property Tax Freeze as part of the 2015 Budget Process; and

Whereas, one provision of the Property Tax Freeze/Property Tax Credit program is for Local Governments to prepare and submit a Government Efficiency Plan by June 1, 2015; and

Whereas, Local Governments have the option of preparing their own plan, or preparing a plan with other local governments; and

Whereas, the Town of Walworth has reviewed the Property Tax Freeze Credit Guidance Publication prepared by the New York State Department of Taxation and Finance; and

Whereas, after consideration the Town of Walworth has determined that it desires to work with Wayne County government and other local governments that also opt to work with Wayne County to prepare and submit a consolidated Government Efficiency Plan; now therefore be it

RESOLVED, that the Town Of Walworth has determined it will join Wayne County Government and other local governments that also opt to join Wayne County to prepare and submit a consolidated Government Efficiency Plan; and be it further

RESOLVED, that the Town Board of the Town of Walworth designates Patricia Marini, Town Supervisor, as a contact person and source of information for the County Administrator; and be it further

RESOLVED, that the Town Clerk will transmit a certified copy of this Resolution to the Wayne County Clerk of the Board of Supervisors

Adopted this 8th day of January 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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RESOLUTION 30-15 AUTHORIZE THE SUPERVISOR TO SIGN THE QUOTE WITH GENESEE GLASS & MIRROR, INC. FOR REPAIRS OF THE LOWER LEVEL DOORS:

Councilman Ruth offered the following Resolution 30-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED, that the Supervisor is authorized to sign the Genesee Glass & Mirror, Inc. for the repairs of the lower level door from A1620.42 for an amount of \$917.95.

Adopted this 8th day of January, 2015 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 31-15 ACKNOWLEDGE REVIEW BY THE TOWN BOARD AND RETURN TO LINCOLN FIRE DEPARTMENT FOR THE 30 DAY REVIEW PERIOD:

Councilman Ruth offered Resolution 31-15 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

The signed certification form was submitted for the Town Board Review and is on file in the office of the Town Clerk.

BE IT RESOLVED that the Town Board Acknowledges review of the Lincoln Fire Department LOSAP and authorizes the return of the certification to the Lincoln Fire Department for the 30 day review period.

Adopted this 8th day of January 2015, at a meeting of the Town Board

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 32-15 AUTHORIZES COUNCILMAN LARRY RUTH ATTENDANCE REGISTRATION, PAYMENT AND MILEAGE REIMBURSEMENT TO THE 2015 LOCAL LEADERS CONFERENCE, BLUE MOUNTAIN LAKE, NY:

Councilwoman Hawkins-Mance offered the following Resolution 32-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:

RESOLVED, that attendance registration payment and mileage reimbursement for Larry Ruth, Council member, to attend the 2015 Local Leaders Conference on April 21-23 held at Blue Mountain Lake, NY, Prepay item from Budgeted Line A1010.41 - \$180.00 plus mileage reimbursement. Conference Request Form and Pre-Authorization of Mileage have been submitted.

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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Adopted this 8th day of January, 2015 at a meeting of the Town Council.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

**8:00 PM PUBLIC HEARING: Violations of Municipal Code Chapter 128
Property Maintenance, Article II – 1355 Walworth-Penfield Road:**

Supervisor indicated if anyone present would like to speak regarding this Public Hearing. No one present commented.

Mr. Phil Williamson, Code Enforcement Officer, address Council members providing and overview of the Town Code violation for the property located at 1355 Walworth-Penfield Road (State Road 441); also supplied a photo for review (photo on file in the Town Clerk’s Office). Questions were addressed. Discussion ensued.

**RESOLUTION 37-15 AUTHORIZING THE CODE ENFORCEMENT OFFICER
TO WORK WITH THE PROPERTY OWNER TO BRING VIOLATION INTO
TOWN COMPLIANCE; IF NOT, CODE ENFORCEMENT OFFICER HAS
AUTHORIZATION TO REMOVE THE DEBRIS AND CHARGE THE COST OF
REMOVAL ON THE PROPERTY TAXES:**

Councilman Ruth offered the following resolution 37-15 and moved its adoption. Seconded by Councilwoman Markowski to wit:

BE IT RESOLVED, that the Phil Williamson, Code Enforcement Officer, is authorized to work with the Property Owner for 1355 Walworth-Penfield Road, to bring the Town violation into compliance, if not resolved, Code Enforcement Officer has authorization to remove the debris and charge the cost of removal on the Property Taxes.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

**8:05 PM – PUBLIC HEARING Proposed Local Law No. 1 of the year 2015;
Chapter 18 Ethics, Code of:**

Supervisor Marini reported that at the recommendation of the Attorney for the Town the public hearing will be rescheduled to allow time for additional amendments to the Proposed Law.

WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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RESOLUTION 17-15 PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2015:

Councilwoman Hawkins-Mance offered the following Resolution 17-15 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that proposed Local Law No. 1 of the year 2015, A LOCAL LAW AMENDING CHAPTER 18 Ethics Code of is hereby introduced before the Town Board, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED that the Town Board hold a Public Hearing on said Proposed Local Law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York at **7:45 PM** on **Thursday, January 22, 2015**; and

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of said public hearing at least ten (10) days prior thereto.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION #33-15 Rescinding Resolution # 233-14 and Authorizing Negotiations with New Energy Equity, LLC to Enter into an Energy Performance Contract Relating to the Production of Solar Energy on behalf of the Town of Walworth, NY:

The following was submitted:

Councilwoman Hawkins-Mance offered the following Resolution 33-15 and moved its adoption.

Seconded by Councilman Pembroke to wit:

WHEREAS, in October of 2014, the Town Board of the Town of Walworth (the “Town”) issued a request for proposal (“RFP”) to qualified firms whereby such firm would enter into an Energy Performance Contract with the Town pursuant to New York State Energy Law at Article 9, to finance, develop, construct, implement, own and maintain an energy system on the Town’s land that would produce solar energy to be used, via net metering, to offset and reduce the electricity costs of the Town of Walworth; and

WHEREAS, the Town received multiple responses to its RFP; and

WHEREAS, the Town, with assistance from Town Board members, Town Staff and Town Consultants, including Town legal counsel and the Town Engineer, thoroughly reviewed the responses to the RFP; and

WHEREAS, on November 20, 2014, the Town adopted Resolution #233-14, declining to accept responses to the RFP; and

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
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WHEREAS, at the time of its declining to move forward with the RFP, the Town Board was inclined to wait for a period of time to examine and further analyze future opportunities, further public funding offerings, etc., and then re-examine at a later time whether moving forward with a solar project would be in the best interest of the Town; and

WHEREAS, upon further review and analysis, including upon consideration of the change in net metering implemented by the Public Service Commission (the “PSC”) on December 15, 2014 as well as upon consideration of additional details regarding proposed regulatory changes including potentially less favorable future public funding related to solar projects, the Town Board would like to reconsider the responses received to its RFP; and

WHEREAS, after reviewing and considering all responses, the Town Board finds that it is in the best interest of the Town to proceed with the solar project as set forth in the RFP, namely by having a developer construct a 1.5MW +/- array of solar panels for the benefit of the Town as further detailed in the RF; and

WHEREAS, among the reasons the Town would like to proceed with the solar project is that the Town can realize significant energy and environmental savings via implementation of such project, and, should the Town proceed with a wait-and-see approach as its previously favored, upon new information, the Town is likely to forgo significant benefits as a result of the regulatory change cited herein and the Town is further concerned that public funding is likely to

change in a manner that could decrease the potential benefits associated with solar energy for the Town; now, therefore, be it

RESOLVED, that, for the reasons set forth herein, the Town hereby rescinds, nullifies and voids Resolution No. 233-14, previously adopted on November 20, 2014; and be it further

RESOLVED, that after review and consideration of the elements set forth in the RFP, including the experience of staff, technical requirements, savings to the Town, financing, etc., and after review of the responses to the RFP, the Town Board finds that New Energy Equity, LLC and its affiliate’s proposal is the most responsive and competitive response to the RFP; and be it further

RESOLVED, that for the reasons set forth herein, the Town Board of the Town of Walworth hereby authorizes the Town, along with assistance from legal counsel and its technical advisors, to proceed with negotiations with New Energy Equity, LLC and/or its affiliates or subsidiaries in relation to their response to the RFP.

Adopted this 8th day of January 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION 34-15 SEQRA:

Councilwoman Hawkins-Mance offered the following Resolution 34-15 and moved its adoption. Seconded by Councilman Ruth to wit:

The following was submitted:

**WALWORTH TOWN BOARD – ORGANIZATIONAL AND REGULAR MEETING
8 JANUARY 2015**

SEQRA RESOLUTION January 8, 2015

WHEREAS, The Town of Walworth Town Board intends to move forward with a proposed solar array, NY Sun Initiative project, which includes the following elements:

- Installation of a 1.56 MW solar array on Town-owned land, producing 2,010,000 kWh per year. Approximately 36 rows extending 200-feet in an east-west orientation would be installed. The top edge of the solar panels would be approximately 9-feet from the ground.
- The project also includes The Town of Walworth’s execution of 25-year Power Purchase Agreement and Site Lease.

WHEREAS, on or about October 24, 2014, the Town of Walworth received a Solar Proposal from New Energy Equity in response to the Town’s Request for Proposals; and,

WHEREAS, on January 5, 2015, the Town Board met with representatives from New Energy Equity in an effort to clarify project details; and,

WHEREAS, the Action is to be a Type I Action pursuant to the State Environmental Quality Review Act’s implementing regulations found in 6NYCRR, Part 617.4 ; and,

WHEREAS, the Town Board intends to be the Lead Agency for the SEQR process; and,

WHEREAS, the Town Board has evaluated the Project and the Long Environmental Assessment Form using the criteria for determining significance identified in 6 NYCRR Section 617.7 (c) (1) and in accordance with 6 NYCRR Section 617.7 (c) (2) and (3), and although potential environmental impacts were identified with this Action, none of the impacts were found to be significant; now, therefore, be it

RESOLVED, that the Action will not have a significant adverse environmental impact and the Walworth Town Board hereby issues a Negative Declaration of Environmental Significance, as indicated in the attached SEQR Full Environmental Assessment Form, Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance and accompanying Reasons Supporting Determination.

Adopted this 8th day of January, 2015 at a meeting of the Town Council.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

RESOLUTION #35-15 Authorizing Execution of a Power Purchase Agreement with New Energy Equity, LLC Relating to the Implementation of a Solar Project to for the Town of Walworth, NY:

Councilwoman Hawkins-Mance offered Resolution 35-15 and moved its adoption. Seconded by Councilman Pembroke to wit:

The following was submitted:

WHEREAS, in October of 2014, the Town Board of the Town of Walworth (the “Town”) issued a request for proposal (“RFP”) to qualified firms whereby such firm would enter into an Energy Performance Contract with the Town pursuant to New York State Energy Law at Article 9, to finance, develop, construct, implement, own and maintain an energy system on the Town’s

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land that would produce solar energy to be used, via net metering, to offset and reduce the electricity costs of the Town of Walworth; and

WHEREAS, after reviewing and considering all responses, the Town Board determined it to be in the best interest of the Town to proceed with the solar project as set forth in the RFP, namely by having a developer construct a 1.5MW +/- array of solar panels for the benefit of the Town as further detailed in the RFP (the “Solar Project”); and

WHEREAS, in relation to said RFP, the Town Board has authorized proceeding with the proposal of New Energy Equity, LLC and/or its affiliates or subsidiaries (“NEE”), which proposal was submitted in response to the RFP; and

WHEREAS, on January 8, 2015, the Town Board completed its environmental review pursuant to the State Environmental Quality Review Act (“SEQR”); and

WHEREAS, pursuant to SEQR, the Town issued a negative declaration in relation to the Solar Project, finding no significant adverse environmental impacts; and

WHEREAS, NEE has provided a proposed Power Purchase Agreement (“PPA”) in relation to the Solar Project; and

WHEREAS, the proposed PPA would, in sum, permit the Town to enter into an arrangement with NEE whereby NEE would construct, own and operate solar arrays which

would, in exchange for a specified payment by the Town, produce energy to be net metered such that Town would receive credits from the local utility in exchange for solar energy produced; and

WHEREAS, subject to further review and negotiation, it appears that the PPA is responsive to and generally consistent with the RFP; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor complete negotiations to execute the PPA, upon satisfaction of the following pre-requisite conditions:

- 1. Review by the Attorney for the Town as to form and content; and
- 2. Review by the Town Engineer as to form and content.
- 3. Subsequent ratification by the Town Board.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

**RESOLUTION #36-15 Authorizing Execution of a Site Lease with New Energy Equity, LLC
Relating to the Implementation of a Solar Project to for the Town of Walworth, NY:**

Councilwoman Hawkins-Mance offered Resolution 36-15 and moved its adoption. Seconded by Councilman Ruth to wit:

The following was submitted:

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WHEREAS, in October of 2014, the Town Board of the Town of Walworth (the “Town”) issued a request for proposal (“RFP”) to qualified firms whereby such firm would enter into an Energy Performance Contract with the Town pursuant to New York State Energy Law at Article 9, to finance, develop, construct, implement, own and maintain an energy system on the Town’s land that would produce solar energy to be used, via net metering, to offset and reduce the electricity costs of the Town of Walworth; and

WHEREAS, after reviewing and considering all responses, the Town Board determined it to be in the best interest of the Town to proceed with the solar project as set forth in the RFP, namely by having a developer construct a 1.5MW +/- array of solar panels for the benefit of the Town as further detailed in the RFP (the “Solar Project”); and

WHEREAS, in relation to said RFP, the Town Board has authorized proceeding with the proposal of New Energy Equity, LLC and/or its affiliates or subsidiaries (“NEE”), which proposal was submitted in response to the RFP; and

WHEREAS, on January 8, 2015, the Town Board completed it environmental review pursuant to the State Environmental Quality Review Act (“SEQR”); and

WHEREAS, pursuant to SEQR, the Town issued a negative declaration in relation to the Solar Project, finding no significant adverse environmental impacts; and

WHEREAS, NEE has provided a proposed System Site Lease Agreement (“Lease”) in relation to the Solar Project; and

WHEREAS, the proposed Lease would, in sum, permit NEE to construct solar arrays on Town-owned land such that the Town could enter into an arrangement with NEE whereby NEE would construct, own and operate solar arrays which would, in exchange for a specified payment by the Town, produce energy to be net metered such that Town would receive credits from the local utility in exchange for solar energy produced; and

WHEREAS, subject to further review and negotiation, it appears that the Lease is responsive to and generally consistent with the RFP; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to complete negotiations and execute the Lease, upon satisfaction of the following pre-requisite conditions:

- 1. Review by the Attorney for the Town as to form and content; and
- 2. Review by the Town Engineer as to form and content; and
- 3. Subsequent ratifications by the Town Board; and
- 4. Subject to Permissive Referendum.

Adopted this 8th day of January, 2015 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

COMMUNICATIONS:

**RECREATION DEPARTMENT – APPRECIATION LETTER DATED
DECEMBER 19, 2014:**

The following was read and submitted:



Motion by Councilwoman Hawkins-Mance to Accept and File.
Seconded by Councilman Ruth.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

NYS JUSTICE COURT – CERTIFICATE OF COMPLETION FOR HONORABLE CHARLES J. YOUNG:

The following was submitted and on file:

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Motion by Councilwoman Hawkins-Mance to Accept and File.
Seconded by Councilwoman Markowski.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

LOOKING AHEAD:

- Collective Bargaining Negotiations – Revised contract will be discussed via: telephone on January 15, 2015.
- Town Board Meeting scheduled for January 22, 2015 at 7:30 PM in the Town Meeting Room.

ADJOURNMENT:

Motion by Councilwoman Hawkins-Mance to adjourn.
Seconded by Councilwoman Markowski.
Time: 8:13 PM.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

Respectfully Submitted,

Susie C. Jacobs, MMC, RMC
Town Clerk